

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 23, 2004

IN RE:

**TARIFF TO REMOVE VOICE MAIL AND VOICE
MESSAGING - TARIFF NUMBER 2003-1426**

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**DOCKET NO.
03-00644**

ORDER APPROVING TARIFF

This matter came before Chairman Deborah Taylor Tate, Director Pat Miller, and Director Ron Jones of the Tennessee Regulatory Authority (the "TRA" or "Authority"), the voting panel assigned to this Docket, at a regularly scheduled Authority Conference held on January 5, 2003 for consideration of Tariff 2003-1426 of Citizens Telephone Company of Tennessee ("Citizens") to remove Voice Mail and Voice Messaging from its General Subscriber Services Tariff

Background

On May 5, 2003, in Docket No 03-00230, the TRA found that voice mail is an information, rather than telecommunications, service. In accordance with this finding, Citizens filed on December 19, 2003 its Tariff 2003-1426 to remove Voice Mail and Voice Messaging from its General Subscriber Services Tariff, to be effective immediately.

Pursuant to the authority of Tenn Code Ann § 65-5-202, TRA Rule 1220-4-1- 03(a) requires all rates and charges for every class of service offered in the state of Tennessee to be tariffed. Under TRA Rule 1220-1-1- 05, the TRA is permitted to waive the requirements of this rule for good cause ¹

¹ See *Petition of Global Tel*Link Corporation for a One-Time Waiver of TRA Rule 1220-4-2- 58* (TRA Docket No 02-00700)

January 5, 2004 Authority Conference

At the January 5, 2004 Authority Conference, the Panel voted unanimously to waive the tariffing requirement of TRA Rule 1220-4-1- 03(a), pursuant to the finding in TRA Docket No 00-00230 that voice mail is not a telecommunications service, and to approve Citizens Tariff 2003-1426

IT IS THEREFORE ORDERED THAT:

- 1 The tariffing requirement of TRA Rule 1220-4-1- 03(a) is waived for Citizens' Voice Mail and Voice Messaging services
- 2 The Citizens Tariff 2003-1426 to remove Voice Mail and Voice Messaging from its General Subscriber Services Tariff is approved


Deborah Taylor Tate, Chairman


Pat Miller, Director


Ron Jones, Director